

EXHIBIT A

Page 1

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

- - -
EQUAL EMPLOYMENT :
OPPORTUNITY COMMISSION, :
Plaintiff, :
and :
KATHY C. KOCH, :
Plaintiff-Intervenor, :
:
V. :
:
LA WEIGHT LOSS, : NO.
Defendant. : WDQ-02-CV-648

- - -
November 30, 2004

- - -
Oral deposition of LESIA
PETRIZIO held in the offices of EEOC's
Philadelphia District Office, The Bourse
Building, 21 S. Fifth Street, Suite 400,
Philadelphia, Pennsylvania 19106
commencing at 10:35 a.m. on the above
date, before Linda Rossi Rios, a
Federally Approved Registered
Professional Reporter and Notary Public
of the Commonwealth of Pennsylvania.

- - -
ESQUIRE DEPOSITION SERVICES
1880 John F. Kennedy Boulevard
15th Floor
Philadelphia, Pennsylvania 19103
(215) 988-9191

1 talk about candidates?
 2 A. As far as?
 3 Q. As far as the hiring
 4 process.
 5 A. With Eileen?
 6 Q. Yes.
 7 A. When Eileen was my boss, her
 8 and I would discuss all candidates.
 9 Q. At some point you became a
 10 regional manager. It's 10/9/98 according
 11 to these documents.
 12 A. 10/19.
 13 Q. I'm sorry, 10/19/98. Was
 14 Ms. Stankunas still your supervisor when
 15 you were regional?
 16 A. Yes.
 17 Q. Was there ever a point when
 18 you were regional manager that Ms.
 19 Stankunas was not your supervisor?
 20 A. No, because when I became --
 21 then I became a VP, and that was when
 22 Elaine came into the company -- well, she
 23 was already in the company, but she
 24 became my boss, that was two and a half

1 years ago, that was July of 2001. What
 2 are we in, 2004? Two, three, somewhere
 3 around there. That's when I got a new
 4 boss, and that would be Elaine
 5 Bussoletti. So Eileen was my boss. From
 6 the beginning when she became my boss
 7 until then.

8 Q. I'm trying to understand
 9 your testimony. Was her role in hiring
 10 the same when you were regional as it was
 11 when you were an area, that she would
 12 review all the candidates with you?

13 A. Well, I would have to
 14 discuss. As a regional, I wasn't hiring
 15 managers anymore most of the time. I
 16 would fill in, you know, if somebody was
 17 out sick or on vacation, but at that
 18 point the area supervisors would then
 19 either call me to discuss and I would
 20 call Eileen or they would call Eileen
 21 directly. Eileen was very involved in my
 22 market. Very involved. It would be
 23 nothing for her to pick up the phone and
 24 call one of my supervisors and talk with

1 them about it. We all worked very, very
 2 closely. Everybody always overlapped one
 3 another. They could pick up the phone
 4 and call her or she could pick up the
 5 phone and call them or they could call
 6 me. We all worked very closely together
 7 that way.

8 Q. Is it a fair statement of
 9 your testimony, then, when you were a
 10 regional manager, that the area
 11 supervisors conducted hiring for centers?
 12 Is that a fair statement?

13 A. Yes.

14 Q. And the area supervisors
 15 would have to get approval from yourself
 16 or from Ms. Stankunas directly?

17 A. Well, they would call me,
 18 but then I would have to turn around and
 19 call and get approval from Eileen.

20 Q. Is that true with respect to
 21 all job titles in your territory? All of
 22 the titles we talked about, center
 23 manager, assistant manager, counselor,
 24 med tech?

1 A. Correct.

2 Q. So the process was area
 3 supervisor makes a recommendation to you,
 4 you then discuss it with Ms. Stankunas,
 5 and Ms. Stankunas then can either let the
 6 person be hired or can overrule you?

7 A. Yes.

8 Q. Was that the process up
 9 until the time that she left the company?
 10 And I'll refresh your memory. She left
 11 the company in the middle of 2002.

12 A. I think that the reins --
 13 when she became whatever the title was,
 14 senior VP or whatever it was at that
 15 point, and I was a VP, at that point in
 16 time, I want to say towards like that
 17 last couple of years, we didn't have to
 18 discuss anything with her anymore. We
 19 were completely at that point -- we had
 20 had so much HR training on hiring and
 21 training at that point, that in my
 22 opinion, I think she finally felt
 23 comfortable and confident that we could
 24 make intelligent decisions. And at that

1 were regional?
 2 A. Right. Correct. Again, if
 3 the applicant did send a resume, it would
 4 go to the corporate fax, and then they
 5 would in turn, if there was one, call me
 6 and say where are you, and fax it over.

7 Q. So you got all of your
 8 applications -- I'm not talking about the
 9 formal -- LA Weight Loss formal
 10 application form. You got all of your
 11 resumes from corporate, from HR?

12 A. If a resume was sent. Now,
 13 sometimes people would just come into the
 14 stores, you know, if somebody was being
 15 referred by another employee or if
 16 someone was just stopping by and handing
 17 out resumes, resumes would be left in the
 18 center, and I would pick them up as I
 19 went around. As a regional, though, as I
 20 said earlier, I didn't do a lot of that
 21 as a regional. As an area I did, but as
 22 a regional, the area supervisors were
 23 responsible.

24 Q. How did they get the

1 determine what was the best way to do
 2 this, to get leads and get the best
 3 quality person.

4 Q. You mentioned recruiters.
 5 My understanding is, there were two
 6 different types of recruiters for
 7 different periods of time. There was an
 8 in-house recruiter that was based out of
 9 HR, and then there were field recruiters.
 10 Does that sound correct?

11 A. That does sound correct.

12 Q. Now, with respect to the HR
 13 recruiters, the ones who were based out
 14 of corporate, what was your interaction
 15 with them?

16 A. With the recruiters?

17 Q. Yes.

18 A. We have them right now. I
 19 don't have direct -- any direct
 20 involvement with them. Their involvement
 21 is with the field at this point, with the
 22 people doing the interviews.

23 Q. What about previously?

24 There was a prior period where there were

1 resumes?
 2 A. Same way.
 3 Q. Did they have direct
 4 interface with HR if a resume was sent to
 5 HR?

6 A. They would communicate all
 7 of their needs with HR.

8 Q. Directly?

9 A. Directly. And I think in a
 10 time, in the period, you know -- and
 11 again, you're talking about a time where
 12 sometimes we had recruiters. And if we
 13 had recruiters, then the area supervisor
 14 was completely left out of the mix. I
 15 was left out of the mix. A recruiter
 16 would just deal right with HR. And then
 17 at times we didn't have recruiters.

18 Sometimes they would send us packets of
 19 things, you know, where are you going to
 20 be, here's a list of all of our
 21 interviews. They would do that. Various
 22 times as a regional the process changed
 23 because we were trying to perfect our
 24 process. We were trying to really

1 also HR department-based recruiters?

2 A. Once I became a regional
 3 manager, I was not actively involved in,
 4 you know, again, like I said earlier,
 5 unless somebody was out sick or they
 6 wanted -- I had to cover something for
 7 them, they would deal directly with the
 8 area supervisors, and at what point I had
 9 a field recruiter as a regional
 10 manager -- I mean, at what point that I
 11 had a corporate recruiter, I don't really
 12 remember when I had one.

13 Q. You're talking about a field
 14 recruiter?

15 A. I know I had a field
 16 recruiter when I got Florida, but that
 17 wasn't for many, many months later.

18 Q. Christina Carter?

19 A. Yes.

20 Q. Other than Christina Carter,
 21 did you have any other field recruiters?

22 A. I may have, but I'm not 100
 23 percent sure.

24 Q. Kathy Moore, does that ring

1 as me remembering exactly, were they
 2 managers, assistants or counselors, I
 3 couldn't tell you.

4 Q. Other than pouring through
 5 the personnel files, is there anything,
 6 any documents you could look at to
 7 identify who those men are?

8 A. No.

9 Q. And you don't have a
 10 specific number?

11 A. No, I don't.

12 Q. These are for center jobs?

13 A. Yes.

14 Q. But you don't know which
 15 jobs?

16 A. Correct.

17 Q. Apart from those men, have
 18 you interviewed any other men for jobs,
 19 you personally?

20 A. Off the top, I'm sure I
 21 have. But I can't recall when, how many.

22 Q. Do you recall any of the
 23 names --

24 A. No.

1 My people are well trained and can make
 2 great decisions.

3 Q. So these are people, the
 4 ones that were hired in your territories
 5 that you personally did not hire, these
 6 were men who were hired by your
 7 subordinates?

8 A. Correct.

9 Q. In accordance with the
 10 process we already talked about earlier?

11 A. Correct.

12 Q. Where they don't have to
 13 check with you first?

14 A. Correct.

15 Q. The men that you personally
 16 hired, can you give me a -- the last one
 17 could not have been later than when you
 18 were a regional manager. Correct? The
 19 very last one that you personally hired
 20 could not have been after you became a
 21 divisional?

22 A. I have hired a tremendous
 23 amount of people in my 15-plus years with
 24 this company. I cannot begin to even

1 Q. -- of the men?

2 A. No.

3 MR. LANDAU: Well, names of
 4 any interviewed or hired?

5 MR. PHILLIPS: Either/or.

6 THE WITNESS: Well, hired, I
 7 know of the ones that are
 8 currently employed now because
 9 they're currently employed now.
 10 But going back to the ones who
 11 were employed, I couldn't tell
 12 you.

13 BY MR. PHILLIPS:

14 Q. Okay. Are there any
 15 currently employed now whose names you
 16 remember who you personally hired?

17 A. Who I personally hired, no,
 18 because like I said earlier, I'm not
 19 actively involved in the hiring of the
 20 employees at this level.

21 Q. Did you approve those hires
 22 before they became effective? Did you
 23 review them?

24 A. I don't review applicants.

1 tell you who, what, where, when, how or
 2 why. I can't. I just can't. There's so
 3 many people I've interviewed.

4 Q. Have you noticed any
 5 difference in the interviews you've
 6 conducted of male candidates and the
 7 interviews you've conducted of female
 8 candidates?

9 A. No. Why?

10 Q. Have you noticed any
 11 difference either in the quality of those
 12 candidates or in their interest in the
 13 job?

14 A. Between a female candidate
 15 and a male candidate?

16 Q. Yes.

17 A. If they're applying for the
 18 job, they're obviously -- at the onset
 19 there's some interest until you actually
 20 get to the interview. Like I told you
 21 earlier, when you get to the interview,
 22 applicants, whether it be male or female,
 23 once they realize what's involved in the
 24 job, sometimes they don't want the job or